

BAKER & MCKENZIE

Facsimile Transmission

Baker & McKenzie LLP
805 Third Avenue
New York, NY 10022, USA

Tel: +1 212 751 5700
Fax: +1 212 759 9133
www.bakernet.com

RECEIVED
CENTRAL FAX CENTER

AUG 13 2004

Date August 13, 2004
To Examiner Kaj K. Olsen, Group Art Unit
1753,
USPTO
From James D. Jacobs
Client/Matter No. 56104576-79
Re Application no. 10/000,473
Pages (w/cover) 19

Phone

+1 212 891 3951

OFFICIAL
Fax
703-872-9306

+1 212 310 1651

Please see the attached.

Privacy And Confidentiality Notice

The information contained in this facsimile is intended for the named recipients only. It may contain privileged and confidential information and if you are not an intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this facsimile in error, please notify us immediately by a collect telephone call to Office Services at +1 212 751 5700 x 4048 and return the original to the sender by mail. We will reimburse you for the postage.

Baker & McKenzie LLP is a member of Baker & McKenzie International, a Swiss Verein.

PTO/SB/21 (02-04)

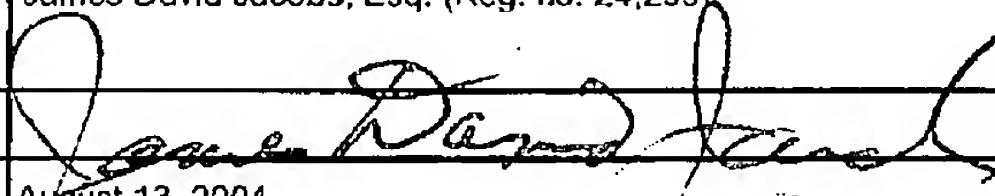
Approved for use through 07/31/2006. OMB 0651-0031

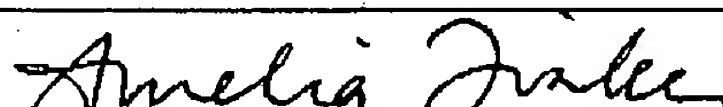
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/000,473 |
| | Filing Date | 10/24/2001 |
| | First Named Inventor | Shaun Atchison |
| | Art Unit | 1753 |
| | Examiner Name | Kaj K. Olsen |
| Total Number of Pages in This Submission | Attorney Docket Number | 56104576-79 |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | This correspondence is being facsimile transmitted to the USPTO at 703-872-9306 on August 13, 2004. | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | James David Jacobs, Esq. (Reg. no. 24,299) |
| Signature |  |
| Date | August 13, 2004 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | |
| Typed or printed name | Amelia Finker |
| Signature |  |
| Date | 8/13/2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 13 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|---|-----------------------|-----------------------|
| Appl. No. | : | 10/000,473 | Confirmation No. 2311 |
| Applicants | : | Shaun Atchison et al. | |
| Filed | : | October 24, 2001 | |
| TC/A.U. | : | 1753 | |
| Examiner | : | Kaj K. Olsen | |
| Date | : | August 13, 2004 | |
| Docket No. | : | 56104576-79 | |
| Customer No. | : | 26453 | |

OFFICIAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION
MAILED MAY 13, 2004

Dear Sir:

This amendment is filed in response the final Office Action mailed May 13, 2004, the time for filing a response being August 13, 2004, without extension.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.

CERTIFICATE OF FACSIMILE TRANSMISSION

I, Amelia Finker, hereby certify that this correspondence is facsimile transmitted to the United States Patent and Trademark Office, at 1-703-872-9306, under 37 C.F.R. 1.8, on this 13th day of August, 2004, and addressed to:

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date of transmission: August 13, 2004

Signature:


Amelia Finker

NYCDMS/427675.1